

312-435-5670

By: /s/ Sheila Moore, Deputy Clerk

I, THOMAS G. BRUTON, CLERK of the United States District Court for the Northern District of Illinois, do hereby certify to the United States Court of Appeals, for the Seventh Circuit, that the documents submitted herewith and annexed hereto are the original papers filed and entered of record in my office, on the dates in the List of Documents, and together with a true copy of docket entries as they appear in the official dockets in this office, consisting of:

6 Volumes of Pleadings
1 Flash Drive (Sealed Items)
1 Volume of E-Transcript

In the cause entitled: Nick Pearson v. Target Corporation.

USDC NO. : 11 CV 7972

USCA NO. : 14-1244, 14-1245, 14-1247

IN TESTIMONY WHEREOF, I hereunto subscribed my name
and affixed the seal of the aforesaid Court at Chicago, Illinois,
this 20th day of March 2014.

THOMAS G. BRUTON, CLERK

By: /s/ Sheila Moore, Deputy Clerk

A TRUE COPY-ATTEST
THOMAS G. BRUTON, CLERK

By: s/ SHEILA MOORE
DEPUTY CLERK
U.S. DISTRICT COURT, NORTHERN
DISTRICT OF ILLINOIS

March 20, 2014

APPEAL,GILBERT,TERMED

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 6,1 (Chicago)
CIVIL DOCKET FOR CASE #: 1:11-cv-07972
Internal Use Only

Pearson v. Target Corporation
Assigned to: Honorable James B. Zagel

Case in other court: 14-01227
14-01244
14-01245
14-01247
14-01389

Date Filed: 11/09/2011
Date Terminated: 01/03/2014
Jury Demand: Defendant
Nature of Suit: 110 Contract: Insurance
Jurisdiction: Diversity

Cause: 28:1332 Diversity-Other Contract

Plaintiff

Nick Pearson

represented by **Stewart M. Weltman**
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Plaintiff

Richard Jennings

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Defendant

Target Corporation

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Defendant

NBTY, Inc.
a Delaware Corporation

represented by **Christopher Matthew Gaul**
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Kara L McCall
(See above for address)
ATTORNEY TO BE NOTICED

Michael W. Davis
(See above for address)
ATTORNEY TO BE NOTICED

Theodore R. Scarborough , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Rexall Sundown, Inc.
a Florida corporation

represented by **Christopher Matthew Gaul**
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

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Theodore R. Scarborough , Jr.
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/09/2011	1	COMPLAINT filed by Nick Pearson; Filing fee \$ 350, receipt number 0752-6553359.(Weltman, Stewart) (Entered: 11/09/2011)
11/09/2011	2	CIVIL Cover Sheet (Weltman, Stewart) (Entered: 11/09/2011)
11/09/2011	3	ATTORNEY Appearance for Plaintiff Nick Pearson by Stewart M. Weltman (Weltman, Stewart) (Entered: 11/09/2011)
11/09/2011		CASE ASSIGNED to the Honorable Robert W. Gettleman. Designated as Magistrate Judge the Honorable Jeffrey T. Gilbert. (nsf.) (Entered: 11/09/2011)
11/17/2011	4	ATTORNEY Appearance for Plaintiff Nick Pearson by Dana Marie Pesha (Pesha, Dana) (Entered: 11/17/2011)
11/18/2011		SUMMONS Issued as to Defendant Target Corporation (nsf.) (Entered: 11/18/2011)
11/22/2011	5	MOTION by Plaintiff Nick Pearson to certify class (Weltman, Stewart) (Entered: 11/22/2011)
12/06/2011	6	Entered in Error. Modified on 12/19/2011 (rp.). (Entered: 12/07/2011)
12/19/2011	7	NOTICE of Correction regarding 6 (rp.) (Entered: 12/19/2011)
01/26/2012	8	ATTORNEY Appearance for Defendant Target Corporation by Bradley Joseph Andreozzi (Andreozzi, Bradley) (Entered: 01/26/2012)
01/26/2012	9	ATTORNEY Appearance for Defendant Target Corporation by David B. Sudzus (Sudzus, David) (Entered: 01/26/2012)
01/26/2012	10	ATTORNEY Appearance for Defendant Target Corporation by Benjamin Fodd Vinson (Vinson, Benjamin) (Entered: 01/26/2012)
01/26/2012	11	ATTORNEY Appearance for Defendant Target Corporation by Justin O'Neill Kay (Kay, Justin) (Entered: 01/26/2012)
01/26/2012	12	ATTORNEY Appearance for Defendant Target Corporation by Kara L McCall (McCall, Kara) (Entered: 01/26/2012)
01/26/2012	13	ATTORNEY Appearance for Defendant Target Corporation by Shelby Kay Feuerbach (Feuerbach, Shelby) (Entered: 01/26/2012)
01/26/2012	14	NOTIFICATION of Affiliates pursuant to Local Rule 3.2 by Target Corporation (Rule 7.1 Corporate Disclosure Statement) (Andreozzi, Bradley)

		(Entered: 01/26/2012)
01/26/2012	15	MOTION by Defendant Target Corporation to dismiss (Andreozzi, Bradley) (Entered: 01/26/2012)
01/26/2012	16	NOTICE of Motion by Bradley Joseph Andreozzi for presentment of motion to dismiss 15 before Honorable Robert W. Gettleman on 2/9/2012 at 09:15 AM. (Andreozzi, Bradley) (Entered: 01/26/2012)
01/26/2012	17	MEMORANDUM by Target Corporation in support of motion to dismiss 15 (Attachments: # 1 Exhibit No. 1, # 2 Exhibit No. 2)(Andreozzi, Bradley) (Entered: 01/26/2012)
02/09/2012	18	MINUTE entry before Honorable Robert W. Gettleman: Motion hearing held on 2/9/2012 regarding motion to dismiss 15 . That motion is continued to 2/15/2012 at 10:45 am.. Mailed notice (gds,) (Entered: 02/10/2012)
02/15/2012	19	MINUTE entry before Honorable Robert W. Gettleman: Motion hearing date of 2/15/2012 is stricken. Mailed notice (gds,) (Entered: 03/21/2012)
04/03/2012	20	EXECUTIVE COMMITTEE ORDER: Case reassigned to the Honorable James B. Zagel for all further proceedings.. Entered by Executive Committee on 4/3/12.(gcy,) (Entered: 04/05/2012)
06/14/2012	21	First AMENDED complaint by Nick Pearson against Target Corporation (Weltman, Stewart) (Entered: 06/14/2012)
06/14/2012	22	NOTICE by Stewart M. Weltman of Change of Address /Notice of Change of Firm (Weltman, Stewart) (Entered: 06/14/2012)
06/14/2012	"TYPE=PICT;ALT=LOCK"	(Court only) ***Motions terminated: MOTION by Plaintiff Nick Pearson to certify class 5 is stricken. (drw,) (Entered: 09/26/2012)
06/14/2012	"TYPE=PICT;ALT=LOCK"	(Court only) ***Motions terminated: MOTION by Defendant Target Corporation to dismiss 15 is stricken. (drw,) (Entered: 09/26/2012)
06/18/2012	23	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-7266283. (Attachments: # 1 Supplement Sweedler Pro Hac Application)(Sweedler, Charles) (Entered: 06/18/2012)
06/18/2012	24	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-7266379. (Attachments: # 1 Supplement H. Sedran Pro Hac Application)(Sedran, Howard) (Entered: 06/18/2012)
06/19/2012	25	MOTION by Defendant Target Corporation to set a briefing schedule For Responding to Plaintiff's First Amended Class Action Complaint (JOINT

		<u>MOTION) (Andreozzi, Bradley) (Entered: 06/19/2012)</u>
<u>06/19/2012</u>	<u>26</u>	<u>NOTICE of Motion by Bradley Joseph Andreozzi for presentment of motion by filer to set a briefing schedule 25 before Honorable James B. Zagel on 6/26/2012 at 10:15 AM. (Andreozzi, Bradley) (Entered: 06/19/2012)</u>
<u>06/25/2012</u>	<u>27</u>	<u>MINUTE entry before Honorable James B. Zagel:Application to appear pro hac vice 23 is granted. Application to appear pro hac vice 24 is granted. Motion to set a briefing schedule 25 is granted. Defendant to answer or otherwise plead by 7/20/2012. Responsive pleading due 8/24/2012. Reply brief due 9/14/2012. Status hearing set for 10/25/2012 at 10:00 AM. Notice of motion hearing 6/26/2012 is stricken. Mailed notice (drw,) (Entered: 06/25/2012)</u>
<u>07/20/2012</u>	<u>28</u>	<u>MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM (Andreozzi, Bradley) (Entered: 07/20/2012)</u>
<u>07/20/2012</u>	<u>29</u>	<u>NOTICE of Motion by Bradley Joseph Andreozzi for presentment of Motion to Dismiss for Failure to State a Claim 28 before Honorable James B. Zagel on 8/2/2012 at 10:15 AM. (Andreozzi, Bradley) (Entered: 07/20/2012)</u>
<u>07/20/2012</u>	<u>30</u>	<u>MEMORANDUM by Target Corporation in support of Motion to Dismiss for Failure to State a Claim 28 (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Andreozzi, Bradley) (Entered: 07/20/2012)</u>
<u>07/20/2012</u>	<u>31</u>	<u>MOTION by Defendant Target Corporation for leave to file excess pages (Andreozzi, Bradley) (Entered: 07/20/2012)</u>
<u>07/20/2012</u>	<u>32</u>	<u>NOTICE of Motion by Bradley Joseph Andreozzi for presentment of motion for leave to file excess pages 31 before Honorable James B. Zagel on 8/2/2012 at 10:15 AM. (Andreozzi, Bradley) (Entered: 07/20/2012)</u>
<u>08/01/2012</u>	<u>33</u>	<u>MINUTE entry before Honorable James B. Zagel:Motion for leave to file excess pages in support of the motion to dismiss 31 is granted.Mailed notice (drw,) (Entered: 08/01/2012)</u>
<u>08/01/2012</u>	<u>34</u>	<u>MINUTE entry before Honorable James B. Zagel:Notice of motion hearing as to the motion to dismiss 28 is stricken. Motion to Dismiss for Failure to State a Claim 28 response is due by 8/24/2012. Reply is due by 9/14/2012.Mailed notice (drw,) (Entered: 08/01/2012)</u>
<u>08/10/2012</u>	<u>35</u>	<u>MOTION by Plaintiff Nick Pearson for extension of time to file (Weltman, Stewart) (Entered: 08/10/2012)</u>
<u>08/10/2012</u>	<u>36</u>	<u>NOTICE of Motion by Stewart M. Weltman for presentment of motion for extension of time to file 35 before Honorable James B. Zagel on 8/16/2012 at 10:15 AM. (Weltman, Stewart) (Entered: 08/10/2012)</u>
<u>08/15/2012</u>	<u>37</u>	<u>MINUTE entry before Honorable James B. Zagel:Motion for extension of time to file briefs on motion to dismiss 28 35 is granted. MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM 28 response now due by</u>

		8/31/2012. Reply now due by 9/21/2012.Mailed notice (drw,) (Entered: 08/15/2012)
08/23/2012	38	MOTION by counsel for Plaintiff Nick Pearson to withdraw as attorney (Pesha, Dana) (Entered: 08/23/2012)
08/23/2012	39	NOTICE of Motion by Dana Marie Pesha for presentment of motion to withdraw as attorney 38 before Honorable James B. Zagel on 9/4/2012 at 10:15 AM. (Pesha, Dana) (Entered: 08/23/2012)
08/23/2012	40	NOTICE of Motion by Dana Marie Pesha for presentment of (Pesha, Dana) (Entered: 08/23/2012)
08/27/2012	41	MINUTE entry before Honorable James B. Zagel:Motion to withdraw as attorney 38 is granted. The appearance of attorney Dana Marie Pesha is withdrawn. Notice of motion hearing 9/4/2012 is stricken.Mailed notice (drw,) (Entered: 08/27/2012)
08/31/2012	42	RESPONSE by Nick Pearson to MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM 28 (Attachments: # 1 Exhibit)(Weltman, Stewart) (Entered: 08/31/2012)
08/31/2012	43	MOTION by Plaintiff Nick Pearson for leave to file excess pages (Weltman, Stewart) (Entered: 08/31/2012)
08/31/2012	44	NOTICE of Motion by Stewart M. Weltman for presentment of motion for leave to file excess pages 43 before Honorable James B. Zagel on 9/6/2012 at 10:15 AM. (Weltman, Stewart) (Entered: 08/31/2012)
09/05/2012	45	MINUTE entry before Honorable James B. Zagel:Motion for leave to file briefs in excess pages 43 is granted. Notice of motion hearing 9/6/2012 is stricken. Mailed notice (drw,) (Entered: 09/05/2012)
09/17/2012	46	MOTION by Defendant Target Corporation for extension of time to file response/reply as to response to motion 42 (<i>Unopposed Motion</i>) (Andreozzi, Bradley) (Entered: 09/17/2012)
09/17/2012	47	NOTICE of Motion by Bradley Joseph Andreozzi for presentment of motion for extension of time to file response/reply, motion for relief 46 before Honorable James B. Zagel on 9/20/2012 at 10:15 AM. (Andreozzi, Bradley) (Entered: 09/17/2012)
09/19/2012	48	MINUTE entry before Honorable James B. Zagel:Notice of motion hearing 9/20/2012 is stricken. Motion for extension of time to file response/reply 28 is granted. MOTION by Defendant Target Corporation to dismiss 15 46 replies now due by 10/18/2012.Mailed notice (drw,) (Entered: 09/19/2012)
10/18/2012	49	REPLY by Target Corporation to response to motion 42 , MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM 28 , memorandum in support of motion 30 (Attachments: # 1 Exhibit G)(Andreozzi, Bradley) (Entered: 10/18/2012)

10/18/2012	50	MOTION by Defendant Target Corporation for leave to file excess pages [Unopposed Motion] (Andreozzi, Bradley) (Entered: 10/18/2012)
10/18/2012	51	NOTICE of Motion by Bradley Joseph Andreozzi for presentment of motion for leave to file excess pages 50 before Honorable James B. Zagel on 10/25/2012 at 10:15 AM. (Andreozzi, Bradley) (Entered: 10/18/2012)
10/18/2012	52	CORRECTED (page-numbered) Reply by Target Corporation (in place of Docket Entry No. 49) (Attachments: # 1 Exhibit G)(Andreozzi, Bradley) (Entered: 10/18/2012)
10/24/2012	53	MINUTE entry before Honorable James B. Zagel:Notice of motion hearing 10/25/2012 is stricken. Motion for leave to file excess pages 50 is granted. Motion to dismiss is taken under advisement. Status hearing (10-25-2012) is reset for 11/29/2012 at 10:00 AM.Mailed notice (drw,) (Entered: 10/24/2012)
11/02/2012	54	Notice of Supplemental Authority In Support of Its Motion to Dismiss The First Amended Class Action Complaint by Target Corporation (Attachments: # 1 Exhibit A)(Andreozzi, Bradley) (Entered: 11/02/2012)
11/06/2012	55	RESPONSE by Plaintiff Nick Pearson to other 54 Plaintiff's Response to Defendant's Notice of Supplemental Authority (Ryan, Elaine) (Entered: 11/06/2012)
11/09/2012	56	MINUTE entry before Honorable James B. Zagel:Defendant's motion to dismiss 28 is granted in part and denied in part.Mailed notice (drw,) (Entered: 11/09/2012)
11/29/2012	58	MINUTE entry before Honorable James B. Zagel:Status hearing held on 11/29/2012. Scheduling order to come. Status hearing set for 2/11/2013 at 10:00 AM.Mailed notice (drw,) (Entered: 12/28/2012)
12/07/2012	57	ANSWER to amended complaint and Separate or Affirmative Defenses by Target Corporation(McCall, Kara) (Entered: 12/07/2012)
02/06/2013	59	NOTICE by Stewart M. Weltman of Change of Address (Weltman, Stewart) (Entered: 02/06/2013)
02/08/2013	60	Joint Proposed Discovery Schedule by Target Corporation (McCall, Kara) (Entered: 02/08/2013)
02/12/2013	61	MINUTE entry before Honorable James B. Zagel: Status hearing held on 2/11/13. The Court enters the following discovery schedule: Rule 26 initial disclosures shall be exchanged on or before 3/31/13. Class discovery shall be completed by 7/1/13. The opening class certification motion shall be filed on or before 7/26/13. Plaintiff shall produce and Defendant shall depose class certification experts, if any, on or before 8/23/13. Opposition to the opening class certification motion shall be filed on or before 9/20/13. Defendant shall produce and Plaintiff shall depose class certification experts, if any, on or before 10/18/13. Plaintiff's reply to class certification opposition shall be

		filed on or before 11/1/13. Class certification hearing set for 11/12/13 at 10:15 a.m. Status hearing set for 7/18/13 at 10:00 a.m. Mailed notice (ep,) (Entered: 02/12/2013)
03/18/2013	62	MINUTE entry before Honorable James B. Zagel: Hearing set for 3/22/13 at 12:30 p.m. Mailed notice (ep,) (Entered: 03/18/2013)
03/22/2013	63	MINUTE entry before Honorable James B. Zagel: Status hearing held regarding global settlement. The parties intend to submit preliminary approval papers to the Court in the near future. Status hearing set for 7/18/13 at 10:00 a.m. will stand. Mailed notice (ep,) (Entered: 03/22/2013)
04/22/2013	64	Second AMENDED complaint by Nick Pearson against Target Corporation (Weltman, Stewart) (Entered: 04/22/2013)
05/02/2013	65	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-8304468. (Freiberg, Peter) (Entered: 05/02/2013)
05/02/2013	66	ATTORNEY Appearance for Plaintiff Richard Jennings by Peter Newton Freiberg (Freiberg, Peter) (Entered: 05/02/2013)
05/02/2013	67	Designation of Local Counsel by Richard Jennings (Freiberg, Peter) (Entered: 05/02/2013)
05/02/2013	68	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752-8304693. (Carton, Jeffrey) (Entered: 05/02/2013)
05/02/2013	69	ATTORNEY Appearance for Plaintiff Richard Jennings by Jeffrey Ian Carton (Carton, Jeffrey) (Entered: 05/02/2013)
05/02/2013	70	Designation of Local Counsel by Richard Jennings (Carton, Jeffrey) (Entered: 05/02/2013)
05/02/2013	71	ATTORNEY Appearance for Plaintiff Richard Jennings by Carol V Gilden (Gilden, Carol) (Entered: 05/02/2013)
05/06/2013	72	MINUTE entry before Honorable James B. Zagel: Plaintiff's Motions for Leave to Appear Pro Hac Vice 65 and 68 are granted. Mailed notice (ep,) (Entered: 05/06/2013)
05/07/2013	73	MEMORANDUM by Plaintiffs Richard Jennings, Nick Pearson in Support of Motion for Preliminary Approval of Settlement 74 Responses due by 5/16/2013 (Attachments: # 1 Exhibit No. 1, # 2 Exhibit No. 2, # 3 Exhibit No. 3, # 4 Exhibit No. 4, # 5 Exhibit No. 5)(Weltman, Stewart) Modified on 5/7/2013 (ep,). (Entered: 05/07/2013)
05/07/2013	"TYP E=PICT; AL T=LO CK"	(Court only) ***Motions terminated: MOTION by Plaintiffs Richard Jennings, Nick Pearson to certify class 73 . (ep,) (Entered: 05/07/2013)
05/07/2013	74	MOTION by Plaintiffs Richard Jennings, Nick Pearson to approve consent

		judgment , MOTION by Plaintiffs Richard Jennings, Nick Pearson to certify class Responses due by 5/16/2013 (Weltman, Stewart) (Entered: 05/07/2013)
05/07/2013	75	MOTION by Plaintiffs Richard Jennings, Nick Pearson for leave to file excess pages (Weltman, Stewart) (Entered: 05/07/2013)
05/07/2013	76	NOTICE of Motion by Stewart M. Weltman for presentment of motion to approve consent judgment, motion to certify class 74 before Honorable James B. Zagel on 5/16/2013 at 09:30 AM. (Weltman, Stewart) (Entered: 05/07/2013)
05/07/2013	77	NOTICE of Motion by Stewart M. Weltman for presentment of motion for leave to file excess pages 75 before Honorable James B. Zagel on 5/16/2013 at 09:30 AM. (Weltman, Stewart) (Entered: 05/07/2013)
05/09/2013	78	ATTORNEY Appearance for Defendants NBTY, Inc., Rexall Sundown, Inc., Target Corporation by Michael W. Davis (Davis, Michael) (Entered: 05/09/2013)
05/09/2013	79	ATTORNEY Appearance for Defendants NBTY, Inc., Rexall Sundown, Inc., Target Corporation by Theodore R. Scarborough, Jr (Scarborough, Theodore) (Entered: 05/09/2013)
05/10/2013	80	MINUTE entry before Honorable James B. Zagel: Plaintiff's Unopposed Motion for Leave to File a Brief in Excess of Fifteen Pages 75 is granted. Hearing set for 5/16/13 at 9:30 a.m. is stricken. Hearing on Plaintiffs' Motion for Preliminary Approval of the Settlement 74 will still be heard on 5/16/13 at 9:30 a.m. Mailed notice (ep,) (Entered: 05/10/2013)
05/10/2013	81	ATTORNEY Appearance for Plaintiff Nick Pearson by Elaine Ryan (Ryan, Elaine) (Entered: 05/10/2013)
05/16/2013	82	AMENDED motion to approve consent judgment, motion to certify class 74 Amended Notice Plan - Exhibit C/Settlement Agreement (Weltman, Stewart) (Entered: 05/16/2013)
05/16/2013	83	MINUTE entry before Honorable James B. Zagel: Motion hearing held. Plaintiffs' Motion for Preliminary Approval of Settlement 74 is granted. The Court provisionally certifies the Settlement Class. Leave is granted to answer the second amended complaint. Fairness hearing set for 9/4/13 at 11:00 a.m. Mailed notice (ep,) (Entered: 05/17/2013)
05/20/2013	84	ANSWER to amended complaint by NBTY, Inc., Rexall Sundown, Inc.(McCall, Kara) (Entered: 05/20/2013)
05/20/2013	85	ANSWER to amended complaint by Target Corporation(McCall, Kara) (Entered: 05/20/2013)
05/24/2013	86	MINUTE entry before Honorable James B. Zagel: Enter Preliminary Approval Order. Mailed notice (ep,) (Entered: 05/24/2013)
05/24/2013	87	PRELIMINARY Approval Order. Signed by the Honorable James B. Zagel

		on 5/24/2013. (ep,) (Entered: 05/24/2013)
05/30/2013	88	MINUTE entry before Honorable James B. Zagel: Enter Preliminary Approval Order (Corrected version) dated 5/30/13. Mailed notice (ep,) (Entered: 06/04/2013)
05/30/2013	89	PRELIMINARY Approval Order (Corrected version). Signed by the Honorable James B. Zagel on 5/30/2013. (ep,) (Entered: 06/04/2013)
07/01/2013	90	LETTER from C. Jane Radlinski dated 6/24/13. (mb,) (Entered: 07/03/2013)
07/12/2013	91	LETTER from Anthony Leardi # 1 Attachment) (mb,). (Entered: 07/16/2013)
07/19/2013	92	LETTER from Kara McCall dated 7/18/13. (mb,) (Entered: 07/23/2013)
07/24/2013	93	LETTER from John Michael Buckley dated 7/20/13. (mb,) (Entered: 07/29/2013)
08/01/2013	94	ATTORNEY Appearance for Objector Theodore H. Frank by Melissa A Holyoak (Holyoak, Melissa) (Entered: 08/01/2013)
08/01/2013	95	Objection by Theodore H. Frank (Attachments: # 1 Declaration Theodore H. Frank)(Holyoak, Melissa) (Entered: 08/01/2013)
08/01/2013	96	MOTION by Objector Theodore H. Frank for leave to file excess pages (Attachments: # 1 Objection by Theodore H. Frank)(Holyoak, Melissa) (Entered: 08/01/2013)
08/01/2013	97	NOTICE of Motion by Melissa A Holyoak for presentment of motion for leave to file excess pages 96 before Honorable James B. Zagel on 8/15/2013 at 09:30 AM. (Attachments: # 1 Motion to Exceed Page Limit)(Holyoak, Melissa) (Entered: 08/01/2013)
08/01/2013	98	OBJECTIONS to Class Action Settlement (Attachments: # 1 Declaration Declaration of Pamela Easton, # 2 Exhibit Web Page)(Fortman, Jonathan) (Entered: 08/01/2013)
08/01/2013	99	OBJECTION to Settlement and Award of Attorneys' Fees by Class Member Peggy Thomas. (mb,) (Entered: 08/06/2013)
08/01/2013	100	OBJECTION to Settlement and Award of Attorneys' Fees by Class Member Simone Thomas. (mb,) (Entered: 08/06/2013)
08/01/2013	101	LETTER from Charles Koneval. (mb,) (Entered: 08/06/2013)
08/08/2013	102	MINUTE entry before Honorable James B. Zagel: At the parties' request, the fairness hearing set for 9/4/13 at 11:00 a.m. is stricken and reset to 10/4/13 at 10:30 a.m. Documents in support of the settlement and responses to objections shall be filed on or before 9/4/13. Objector's Motion for Leave to File Excess Pages 96 is granted. Hearing set for 8/15/13 at 9:30 a.m. is stricken. Mailed notice (ep,) (Entered: 08/08/2013)
08/08/2013	103	OBJECTION to Settlement by Theodore H. Frank. (mb,) (Entered: 08/08/2013)

		08/09/2013)
08/09/2013	104	OBJECTIONS of Kathleen McNel and Alison Paul to Settlement and Notice of Intent to Appear (Exhibits). (et,) (Entered: 08/13/2013)
08/14/2013	106	NOTICE of Class Action Settlement. (mb,) (Entered: 08/16/2013)
08/14/2013	107	LETTER from Inez Velez dated 7/29/13. (mb,) (Entered: 08/16/2013)
08/15/2013	105	Notice of Pertinent Authority by Theodore H. Frank (Attachments: # 1 Exhibit In re Dry Max Pampers Litigation, -- F.3d --, No. 11-4156 (6th Cir. Aug. 2, 2013))(Holyoak, Melissa) (Entered: 08/15/2013)
08/29/2013	108	NOTICE by All Defendants of filing the Declaration of Kara L. McCall (Attachments: # 1 Declaration of Kara L. McCall, # 2 Exhibit A (Part 1 of 8), # 3 Exhibit A (Part 2 of 8), # 4 Exhibit A (Part 3 of 8), # 5 Exhibit A (Part 4 of 8), # 6 Exhibit A (Part 5 of 8), # 7 Exhibit A (Part 6 of 8), # 8 Exhibit A (Part 7 of 8), # 9 Exhibit A (Part 8 of 8))(McCall, Kara) (Entered: 08/29/2013)
09/04/2013	109	MOTION by Plaintiffs Richard Jennings, Nick Pearson, Defendants NBTY, Inc., Rexall Sundown, Inc., Target Corporation for leave to file <i>Joint Response to Objections and Exhibits Thereto Under Seal</i> (McCall, Kara) (Entered: 09/04/2013)
09/04/2013	110	NOTICE of Motion by Kara L McCall for presentment of motion for leave to file 109 before Honorable James B. Zagel on 9/12/2013 at 09:30 AM. (McCall, Kara) (Entered: 09/04/2013)
09/04/2013	111	MOTION by Plaintiffs Richard Jennings, Nick Pearson, Defendants NBTY, Inc., Rexall Sundown, Inc., Target Corporation for leave to file excess pages (McCall, Kara) (Entered: 09/04/2013)
09/04/2013	112	NOTICE of Motion by Kara L McCall for presentment of motion for leave to file excess pages 111 before Honorable James B. Zagel on 9/12/2013 at 09:30 AM. (McCall, Kara) (Entered: 09/04/2013)
09/04/2013	113	RESPONSE by Plaintiffs Richard Jennings, Nick Pearson, Defendants NBTY, Inc., Rexall Sundown, Inc., Target Corporation to objections 99 , objections 100 , letter 93 , other 95 , objections 98 , letter 90 , objections 104 <i>Parties Joint Response To Objections</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B B (Part 1 of 2 (Redacted)), # 3 Exhibit B (Part 2 of 2 (Redacted)), # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J (Redacted), # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Exhibit N, # 16 Exhibit O, # 17 Exhibit P, # 18 Exhibit Q, # 19 Exhibit R, # 20 Exhibit S (Redacted), # 21 Exhibit T, # 22 Exhibit U, # 23 Exhibit V, # 24 Exhibit W, # 25 Exhibit X, # 26 Exhibit Y, # 27 Exhibit Z (Redacted))(McCall, Kara) (Entered: 09/04/2013)
09/04/2013	114	MOTION by Plaintiffs Richard Jennings, Nick Pearson for Final Approval of Class Action Settlement and Award of Attorneys' Fees and Expenses and

		<u>Incentive Awards (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>115</u>	<u>NOTICE of Motion by Peter Newton Freiberg for presentment of motion for miscellaneous relief 114 before Honorable James B. Zagel on 10/4/2013 at 10:30 AM. (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>116</u>	<u>MOTION by Plaintiffs Richard Jennings, Nick Pearson for leave to file excess pages for their Memorandum in Support of their Motion for Final Approval of Class Action Settlement (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>117</u>	<u>NOTICE of Motion by Peter Newton Freiberg for presentment of motion for leave to file excess pages 116 before Honorable James B. Zagel on 9/12/2013 at 09:30 AM. (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>118</u>	<u>MOTION by Plaintiffs Richard Jennings, Nick Pearson for leave to file Motion for Leave to File Plaintiffs' Response to Objections Thereto Under Seal (Weltman, Stewart) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>119</u>	<u>NOTICE of Motion by Stewart M. Weltman for presentment of motion for leave to file 118 before Honorable James B. Zagel on 9/12/2013 at 09:30 AM. (Weltman, Stewart) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>120</u>	<u>RESPONSE by Plaintiffs Richard Jennings, Nick Pearson to objections 104 , objections 99 , objections 100 , letter 93 , other 95 , objections 98 , letter 90 Plaintiffs' Response to Objections (Weltman, Stewart) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>121</u>	<u>MEMORANDUM by Richard Jennings, Nick Pearson in support of motion for miscellaneous relief 114 of Final Approval of Class Action Settlement and Award of Attorneys' Fees and Expenses and Incentive Awards (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>122</u>	<u>MOTION by Plaintiffs Richard Jennings, Nick Pearson to seal document Memorandum of Law in Support of Motion for Final Approval of Class Action Settlement and Award of Attorneys' Fees and Expenses and Incentive Awards (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>123</u>	<u>NOTICE of Motion by Peter Newton Freiberg for presentment of motion to seal document, 122 before Honorable James B. Zagel on 9/12/2013 at 09:30 AM. (Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>124</u>	<u>DECLARATION of Jeffrey I. Carton in Suport of Final Approval of Settlement, Attorneys' Fees and Expenses and Incentive Awards (Attachments: # 1 Exhibit A - Firm Biography, # 2 Exhibit B - Time Records)(Freiberg, Peter) (Entered: 09/04/2013)</u>
<u>09/04/2013</u>	<u>125</u>	<u>DECLARATION of Elaine Ryan, Stewart M. Weltman and Howard J. Sedran in Support of Motion for Attorneys' Fees and Expenses and Incentive Awards (Attachments: # 1 Exhibit A-BFFB Bio, # 2 Exhibit B-Weltman Bio, # 3 Exhibit C-Levin Fishbein Bio)(Weltman, Stewart) (Entered: 09/04/2013)</u>
<u>09/06/2013</u>	<u>126</u>	<u>ATTORNEY Appearance for Objectors Theodore H. Frank, Theodore H.</u>

		Frank by Debra Jeannine Tucker (Tucker, Debra) (Entered: 09/06/2013)
09/09/2013	127	ATTORNEY Appearance for Objectors Theodore H. Frank, Theodore H. Frank by Melissa Rachel Pavely (Pavely, Melissa) (Entered: 09/09/2013)
09/10/2013	128	ATTORNEY Appearance for Defendants NBTY, Inc., Rexall Sundown, Inc., Target Corporation by Christopher Matthew Gaul (Gaul, Christopher) (Entered: 09/10/2013)
09/11/2013	129	MINUTE entry before Honorable James B. Zagel: The parties' Motion for Leave to File a Joint Response to Objections and Exhibits Therto Under Seal 109 is granted. The parties shall electronically file sealed versions of their Joint Response to Objections and Exhibit B, J, S, and Z. The parties' Motion for Leave to File a Joint Response to Objections in Excess of Fifteen Pages 111 is granted. Plaintiffs' Motion for Leave to File a Brief in Excess of Fifteen Pages in Support of its Motion for Final Approval 116 is granted. Plaintiffs' motion for Leave to File their Response to Objections Thereto Under Seal 118 is granted. The parties shall electronically file sealed versions of Plaintiffs' Response to Objections. Plaintiffs' Motion for Leave to File a Memorandum of Law in Support of their Motion for Final Approval of Class Action Settlement Under Seal 122 is granted. Plaintiffs shall electronically file a sealed version of their Memorandum of Law. Hearing set for 9/12/13 at 9:30 a.m. is stricken and no appearance is necessary. Mailed notice (ep,) (Entered: 09/11/2013)
09/11/2013 Flash Drive	130	SEALED RESPONSE by Richard Jennings, NBTY, Inc., Nick Pearson, Rexall Sundown, Inc., Target Corporation to objections 99 , objections 100 , letter 93 , other 95 , objections 98 , letter 90 , objections 104 <i>Parties Joint Response To Objections</i> (Attachments: # 1 Exhibit B, # 2 Exhibit J, # 3 Exhibit S (Part 1 of 2), # 4 Exhibit S (Part 2 of 2), # 5 Exhibit Z)(McCall, Kara) (Entered: 09/11/2013)
09/11/2013 Flash Drive	131	SEALED DOCUMENT by Plaintiffs Richard Jennings, Nick Pearson <i>Plaintiffs' Memorandum in Support of Final Approval of Class Action Settlement and Award of Attorneys' Fees and Expenses and Incentive Awards</i> (Freiberg, Peter) (Entered: 09/11/2013)
09/12/2013 Flash Drive	132	SEALED RESPONSE <i>Plaintiffs' Response to Objections</i> (Weltman, Stewart) (Entered: 09/12/2013)
09/23/2013	133	MOTION by Objector Theodore H. Frank to unseal document Response 120 , Response,, 113 , memorandum in support of motion 121 <i>and Memorandum in Support</i> (Holyoak, Melissa) (Entered: 09/23/2013)
09/23/2013	134	NOTICE of Motion by Melissa A Holyoak for presentment of motion to unseal document, motion for relief,, 133 before Honorable James B. Zagel on 10/4/2013 at 10:30 AM. (Attachments: # 1 Motion to Unseal and Memorandum of Law in Support)(Holyoak, Melissa) (Entered: 09/23/2013)

09/30/2013	135	RESPONSE by Richard Jennings, NBTY, Inc., Nick Pearson, Rexall Sundown, Inc., Target Corporation in Opposition to MOTION by Objector Theodore H. Frank to unseal document Response 120 , Response... 113 , memorandum in support of motion 121 and Memorandum in Support 133 (Attachments: # 1 Exhibit List, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E)(McCall, Kara) (Entered: 09/30/2013)
10/04/2013	136	MINUTE entry before Honorable James B. Zagel: In court hearing and motion hearing held. Further hearing set for 11/20/13 at 9:30 a.m. Mailed notice (ep,) (Entered: 10/09/2013)
11/06/2013	137	SUPPLEMENT to sealed document 131 <i>Plaintiffs' Supplemental Memorandum of Law ISO Motion for Final Approval of Class Action Settlement, Attorneys' Fees and Expenses, and Incentive Awards</i> (Attachments: # 1 Exhibit A)(Weltman, Stewart) (Entered: 11/06/2013)
11/15/2013	138	RESPONSE by Objector Theodore H. Frank to supplement, 137 (Holyoak, Melissa) (Entered: 11/15/2013)
11/20/2013	139	MINUTE entry before the Honorable James B. Zagel: The Court will issue a ruling in early December. Mailed notice (ep,) (Entered: 11/22/2013)
12/05/2013	140	ORDER: Plaintiffs are ordered to produce to the court the number of claims filed by class members by the December 3, 2013 claims deadline and the total amount of relief dispersed or owed to class members. Signed by the Honorable James B. Zagel on 12/5/2013. Mailed notice(ep,) (Entered: 12/05/2013)
12/06/2013	141	SUPPLEMENT to order, 140 <i>Plaintiffs' Supplemental Submission Regarding Total Payments To Be Made To Class Members</i> (Attachments: # 1 Exhibit A)(Weltman, Stewart) (Entered: 12/06/2013)
01/03/2014	142	MINUTE entry before the Honorable James B. Zagel: In accordance with the Court's Memorandum Opinion and Order, judgment on the final settlement is approved and attorneys' fees for the benefits of injunction and expenses are accepted as follows: \$617,166.50 in fees and \$57,398.04 in expenses to BFFB; \$325,203.75 in fees to Weltman LLC; \$52,432.50 in fees and \$29,091.06 in expenses to LFSB; \$938,790 in fees and \$93,187.13 in expenses to D&C. The Court further approves reasonable incentive awards in the amount of \$5,000 for each of the six named Plaintiffs, for a total of \$30,000. Enter Memorandum Opinion and Order. All pending motions are moot. Civil case terminated. Counsel shall submit a final judgment order in accordance with the Court's Memorandum Opinion and Order, to the Court's proposed orders inbox. Mailed notice (ep,) (Entered: 01/03/2014)
01/03/2014	143	MEMORANDUM Opinion and Order. Signed by the Honorable James B. Zagel on 1/3/2014. (ep,) (Entered: 01/03/2014)
01/22/2014	144	FINAL Judgment and Order. Signed by the Honorable James B. Zagel on

		1/22/2014. (ep,) (Entered: 01/24/2014)
01/29/2014	145	NOTICE of appeal by Theodore H. Frank, Theodore H. Frank regarding orders 143 , 144 Filing fee \$ 505, receipt number 0752-9148624. (Holyoak, Melissa) (Entered: 01/29/2014)
01/30/2014	146	NOTICE of Appeal Due letter sent to counsel of record. (smm) (Entered: 01/30/2014)
01/30/2014	147	TRANSMITTED to the 7th Circuit the short record on notice of appeal 145. Notified counsel (smm) (Entered: 01/30/2014)
02/02/2014	154	NOTICE of appeal by Simone Thomas regarding orders 143 , 144 , 142 Filing fee \$ 505, receipt number 4624114216. (smm) (Entered: 02/04/2014)
02/02/2014	160	NOTICE of appeal by Peggy Thomas regarding orders 143 , 144 , 142 . Filing fee \$ 505, receipt number 4624114215. (smm) (Entered: 02/05/2014)
02/03/2014	148	NOTICE of appeal by Nick Pearson regarding orders 143 , 144 Filing fee \$ 505, receipt number 0752-9161906. (Weltman, Stewart) (Entered: 02/03/2014)
02/03/2014	149	DOCKETING Statement by Nick Pearson regarding notice of appeal 148 (Weltman, Stewart) (Entered: 02/03/2014)
02/04/2014	150	NOTICE of Appeal Due letter sent to counsel of record. (smm) (Entered: 02/04/2014)
02/04/2014	151	TRANSMITTED to the 7th Circuit the short record on notice of appeal 148. Notified counsel (smm) (Entered: 02/04/2014)
02/04/2014	152	NOTICE of appeal by Richard Jennings regarding orders 143 , 144 Filing fee \$ 505, receipt number 0752-9166138. (Freiberg, Peter) (Entered: 02/04/2014)
02/04/2014	153	DOCKETING Statement by Richard Jennings regarding notice of appeal 152 (Freiberg, Peter) (Entered: 02/04/2014)
02/04/2014	155	NOTICE of Appeal Due letter sent to counsel of record. (smm) (Entered: 02/04/2014)
02/04/2014	156	NOTICE of Appeal Due letter sent to counsel of record. (smm) (Entered: 02/04/2014)
02/04/2014	157	TRANSMITTED to the 7th Circuit the short record on notice of appeal 154. Notified counsel (smm) (Entered: 02/05/2014)
02/04/2014	158	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal 148 ; USCA Case No. 14-1227. (nf,) (Entered: 02/05/2014)
02/04/2014	159	TRANSMITTED to the 7th Circuit the short record on notice of appeal 152. Notified counsel (smm) (Entered: 02/05/2014)
02/05/2014	161	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal 160 . (smm) (Entered: 02/05/2014)

02/05/2014	162	NOTICE of Correction regarding notice of appeal due letter 156 . (smm) (Entered: 02/05/2014)
02/05/2014	163	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal 152 (smm) (Entered: 02/05/2014)
02/05/2014	164	TRANSMITTED to the 7th Circuit the short record on notice of appeal 160 . Notified counsel (smm) (Entered: 02/05/2014)
02/05/2014	165	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal 160 ; USCA Case No. 14-1244. (nf,) (Entered: 02/06/2014)
02/05/2014	166	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal 152 ; USCA Case No. 14-1245. (nf,) (Entered: 02/06/2014)
02/05/2014	167	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal 154 ; USCA Case No. 14-1247. (nf,) (Entered: 02/06/2014)
02/10/2014	168	SEVENTH CIRCUIT transcript information sheet by Richard Jennings (Freiberg, Peter) (Entered: 02/10/2014)
02/10/2014	169	SEVENTH CIRCUIT transcript information sheet by Theodore H. Frank, Theodore H. Frank (Attachments: # 1 Certificate of Service Certificate of Service)(Holyoak, Melissa) (Entered: 02/10/2014)
02/12/2014	170	SEVENTH CIRCUIT transcript information sheet by Nick Pearson (Weltman, Stewart) (Entered: 02/12/2014)
02/13/2014	171	DESIGNATION by Richard Jennings, Nick Pearson of record on appeal (Freiberg, Peter) (Entered: 02/13/2014)
02/19/2014	172	RULE to Show Cause Circuit Rule 3(c) Docketing Statement for 14-1244. (nf,) (Entered: 02/20/2014)
02/19/2014	173	RULE to Show Cause Circuit Rule 3(c) Docketing Statement for 14-1247. (nf,) (Entered: 02/20/2014)
02/21/2014	174	ATTORNEY Appearance for Objectors Alison Paul, Kathleen McNeal by Joseph Darrell Palmer (Palmer, Joseph) (Entered: 02/21/2014)
02/21/2014	175	NOTICE of appeal by Kathleen McNeal, Alison Paul regarding orders 143 , 144 (Palmer, Joseph) (Entered: 02/21/2014)
02/24/2014	176	NOTICE of Appeal Due letter sent to counsel of record regarding notice of appeal 175 . (smm) (Entered: 02/24/2014)
02/24/2014	177	TRANSMITTED to the 7th Circuit the short record on notice of appeal 175 . Notified counsel (smm) (Entered: 02/24/2014)
02/24/2014	178	CIRCUIT Rule 3(b) Notice. (gcy,) (Entered: 02/25/2014)
02/24/2014	179	ACKNOWLEDGMENT of receipt of short record on appeal regarding notice of appeal 175 ; USCA Case No. 14-1389. (gcy,) (Entered: 02/25/2014)
02/26/2014	"TYP	TRANSCRIPT OF PROCEEDINGS held on October 4, 2013 before the Honorable James B. Zagel. Court Reporter Contact Information: Blanca I.

Flash Drive	E=PICT;AL435-5895, blanca_lara@ilnd.uscourts.gov. <P>IMPORTANT: The transcript T=LO may be viewed at the court's public terminal or purchased through the Court CK"180
	Restriction. After that date it may be obtained through the Court Reporter/Transcriber or PACER. For further information on the redaction process, see the Court's web site at www.ilnd.uscourts.gov under Quick Links select Policy Regarding the Availability of Transcripts of Court Proceedings.</P> Redaction Request due 3/19/2014. Redacted Transcript Deadline set for 3/31/2014. Release of Transcript Restriction set for 5/27/2014. (Lara, Blanca) (Entered: 02/26/2014)
03/11/2014	"TYP (Court only) RECEIPT regarding payment of notice of appeal filing fee paid on 3/11/2014 in the amount of \$505.00, receipt number 4624116599. (ym.) (Entered: 03/14/2014)
	E=PICT;AL T=LO CK"181

KEY

Majority of the items are included in this record.
All crossed out items are not included in the record.